



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/825,359
Applicant : GIBSON, PETER
Filed : APRIL 16, 2004
Title : IMPLANTABLE DEVICE HAVING OSSEointegrating
PROTUBERANCES

Art Unit : 3762
Examiner : TO BE ASSIGNED

Atty Docket No. : COCH-0009-1

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The below-identified communication(s) is (are) submitted in the above-captioned application or proceeding:

- ☒ Patent Fee Transmittal for FY 2004 and Deposit Account Authorization.
 - ☒ Response to Notice of Missing Parts
 - ☒ Declaration (1 sheet)
 - ☒ Application Data Sheet (2 sheets)
 - ☒ Copy of Notice of Missing Parts
 - ☒ Copy of Patent Fee Transmittal.
- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication, including fees under 37 C.F.R. §§ 1.16 and 1.17 or credit any overpayment to **Deposit Account Number 10-0233-COCH-0009-1.**

Respectfully submitted,

Ajay A. Jagtiani
Registration Number 35,205

JAGTIANI + GUTTAG
Democracy Square Business Center
10363-A Democracy Lane
Fairfax, Virginia 22030
(703) 591-2664

August 9, 2004



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**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION FILED UNDER 37 CFR 1.53(b)
AND REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

This is in response to the Notice to File Missing Parts of Nonprovisional Application dated June 25, 2004, the period for response to which is set to expire on August 25, 2004. Submitted herewith is the executed Declaration in compliance with 37 CFR 1.63 identifying the application by the above application number and filing date.

In addition, enclosed is a corrected Application Data Sheet that shows Peter Gibson's new address information for the above-identified application.

The Commissioner is hereby authorized to charge \$130.00 (the **LARGE ENTITY** fee) and any additional fees which may be required under 37 CFR 1.16(e) or credit any overpayment to **Deposit Account No. 10-0233 COCH-0009-1**.

Please note that Applicant is a **LARGE ENTITY**, but was erroneously listed as a small entity on the filing receipt. On the fee transmittal form, a copy of which is enclosed, the large entity fee was designated, even though through an unintentional clerical error, the small entity status was checked. No small entity status was checked on the utility transmittal sheet. The Applicant has previously authorized Commissioner to withdraw the fee of \$2,080.00 from Deposit Account No. 10-0233 COCH-0009-1 to cover the basic filing as a large entity. Appropriate correct is respectfully requested.

Serial No. 10/825,359

Please direct any inquiries in connection with this application directly to the undersigned.

Respectfully submitted,

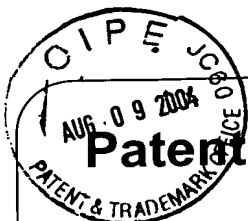


Ajay A. Jagtiani
Registration Number 35,205

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August 9, 2004

Attachments: Declaration	(1 sheet)
Application Data Sheet	(2 sheets)
Fee Transmittal Form	(1 sheet)



Patent Fee Transmittal for FY 2004

☒ Applicant Claims Small Entity Status 37 C.F.R. 1.27

TOTAL AMOUNT OF PAYMENT \$2,080.00

Application Number	To be assigned
Filing Date	Concurrently
Named Inventor	Peter Gibson
Examiner Name	To be assigned
Art Unit	To be assigned
Attorney Docket No.	COCH-0009-1

FEE CALCULATION

1. Basic Filing Fee

Large Entity		Small Entity		Description	Paid
Code	(\$)	Code	(\$)		
1001	770	2001	385	Utility filing fee	\$770.00
1002	340	2002	170	Design filing fee	\$ -
1003	530	2003	265	Plant filing fee	\$ -
1004	770	2004	385	Reissue filing fee	\$ -
1005	160	2005	80	Provisional filing fee	\$ -
1609	730	2609	365	IPEA U.S.	\$ -
1610	770	2610	385	ISA U.S.	\$ -
1611	1,080	2611	540	USPTO not ISA or IPEA	\$ -
1612	100	2612	50	Claims Meet PCT Art. 33-IPEA/US	\$ -
1613	920	2613	460	Filing with EPO or JPO SR	\$ -
Basic Fee Subtotal					\$ 770

2. Extra Claim Fee

a. Claims as Filed

Large Entity		Small Entity		Paid
Code	(\$)	Code	(\$)	
1202	18	2202	9	\$ 1,224
1201	86	2201	43	\$ 86
1203	290	2203	145	\$ -

b. Claims as Amended

Large Entity		Small Entity		Paid
Code	(\$)	Code	(\$)	
1202	18	2202	9	\$ -
1201	86	2201	43	\$ -
1203	290	2203	145	\$ -

Extra Claim Fee Subtotal \$ 1,310

3. Additional Fees

Large Entity		Small Entity		Description	Paid
Code	(\$)	Code	(\$)		
1251	110	2251	55	Extension for reply first month	\$ -
1252	420	2252	210	Extension for reply second month	\$ -
1253	950	2253	475	Extension for reply third month	\$ -
1254	1,480	2254	740	Extension for reply fourth month	\$ -
1255	2,010	2255	1,005	Extension for reply fifth month	\$ -
1401	330	2401	165	Notice of Appeal	\$ -
1402	330	2402	165	Filing Brief in Support of Appeal	\$ -
1403	290	2403	145	Request for Oral hearing	\$ -
1460	130	1460	130	Petitions to Commissioner	\$ -
1451	1,510	1451	1,510	Petition - public use proceeding	\$ -
1452	110	2452	55	Petition to Revive - Unavoidable	\$ -
1453	1,330	2453	665	Petition to Revive - Unintentional	\$ -
1501	1,330	2501	665	Utility Issue Fee	\$ -
1502	480	2502	240	Design Issue Fee	\$ -
1503	640	2503	320	Plant Issue Fee	\$ -
1504	300	1504	300	Publication Fee	\$ -
1814	110	2814	55	Statutory Disclaimer	\$ -
1811	100	1811	100	Certificate of Correction	\$ -

3. Additional Fees (cont.)

Large Entity		Small Entity		Description (cont.)	Paid
Code	(\$)	Code	(\$)		
8021	40	8021	40	Recording each Assignment	\$ -
1806	180	1806	180	Submission of IDS	\$ -
1801	770	2801	385	Request for Cont. Examination	\$ -
1809	770	2809	385	Filing Submission After Final	\$ -
1051	130	2051	65	Surcharge - late filing fee or oath	\$ -
1052	50	2052	25	Surcharge - late provisional fee	\$ -
1053	130	1053	130	Non-English Specification	\$ -
1807	50	1807	50	Processing Fee 37 CFR 1.17(q)	\$ -
1812	2,520	1812	2,520	Request for Ex Parte Reexamination	\$ -
1804	920	1804	920	Request Pub. of SIR prior	\$ -
1805	1,840	1805	1,840	Request Pub. of SIR after	\$ -
1810	770	2810	385	Each Add. Invention Examined	\$ -
1802	900	1802	900	Expedited Examination (Design)	\$ -
1551	910	2551	455	Maintenance Fees 3.5 years	\$ -
1552	2,090	2552	1,045	Maintenance Fees 7.5 years	\$ -
1553	3,220	2553	1,610	Maintenance Fees 11.5 years	\$ -
1554	130	2554	65	Surcharge - Late Payment 6 mos.	\$ -
Other fee					\$ -

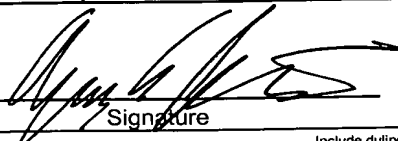
Additional Fee Subtotal \$ -

METHOD OF PAYMENT

☒ Deposit Account No. **10-0233-COCH-0009-1**

☒ The Commissioner is hereby authorized to charge the amount shown above and any additional fees which may be required under 37 CFR 1.16, 1.17, 1.18, 1.20 and 1.492 or credit any overpayment to the deposit account number listed above.

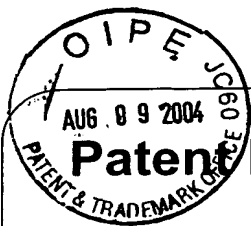
Name	Ajay A. Jagtiani	Reg. No.	35,205
Firm	Jagtiani + Guttag		
Address	10363-A Democracy Lane, Fairfax VA 22030		
Telephone	703.591.2664	Fax	703.591.5907



April 16, 2004

Signature

Date



Patent Fee Transmittal for FY 2004

☐ Applicant Claims Small Entity Status 37 C.F.R. 1.27

TOTAL AMOUNT OF PAYMENT \$130.00

Application Number	10/825,359
Filing Date	April 16, 2004
Named Inventor	Peter Gibson
Examiner Name	To be assigned
Art Unit	3762
Attorney Docket No.	COCH-0009-1

FEE CALCULATION

1. Basic Filing Fee

Large Entity		Small Entity		Description	Paid
Code	(\$)	Code	(\$)		
1001	770	2001	385	Utility filing fee	\$0.00
1002	340	2002	170	Design filing fee	\$ -
1003	530	2003	265	Plant filing fee	\$ -
1004	770	2004	385	Reissue filing fee	\$ -
1005	160	2005	80	Provisional filing fee	\$ -
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1613	920	2613	460	Filing with EPO or JPO SR	\$ -

Basic Fee Subtotal \$ -

2. Extra Claim Fee

a. Claims as Filed

Large Entity		Small Entity		Paid
Code	(\$)	Code	(\$)	
1202	18	2202	9	\$ -
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1203	290	2203	145	\$ -

b. Claims as Amended

Large Entity		Small Entity		Paid
Code	(\$)	Code	(\$)	
1202	18	2202	9	\$ -
1201	86	2201	43	\$ -
1203	290	2203	145	\$ -

* Less than 20, enter 20 ** Less than 3, enter 3

Extra Claim Fee Subtotal \$ -

3. Additional Fees

Large Entity		Small Entity		Description	Paid
Code	(\$)	Code	(\$)		
1251	110	2251	55	Extension for reply first month	\$ -
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1814	110	2814	55	Statutory Disclaimer	\$ -
1811	100	1811	100	Certificate of Correction	\$ -

(cont.)

3. Additional Fees (cont.)

Large Entity		Small Entity		Description (cont.)	Paid
Code	(\$)	Code	(\$)		
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1806	180	1806	180	Submission of IDS	\$ -
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1052	50	2052	25	Surcharge - late provisional fee	\$ -
1053	130	1053	130	Non-English Specification	\$ -
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1553	3,220	2553	1,610	Maintenance Fees 11.5 years	\$ -
1554	130	2554	65	Surcharge - Late Payment 6 mos.	\$ -
Other fee					\$ -

Additional Fee Subtotal \$ 130

METHOD OF PAYMENT

☒ Deposit Account No. **10-0233-COCH-0009-1**

☒ The Commissioner is hereby authorized to charge the amount shown above and any additional fees which may be required under 37 CFR 1.16, 1.17, 1.18, 1.20 and 1.492 or credit any overpayment to the deposit account number listed above.

Name	Ajay A. Jagtiani	Reg. No.	35,205
Firm	Jagtiani + Guttag		
Address	10363-A Democracy Lane, Fairfax VA 22030		
Telephone	703.591.2664	Fax	703.591.5907

Signature

August 9, 2004

Date



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/825,359	04/16/2004	Peter Gibson	COCH-0009-1

22506
 JAGTIANI + GUTTAG
 10363-A DEMOCRACY LANE
 FAIRFAX, VA 22030



CONFIRMATION NO. 8104

FORMALITIES LETTER



OC000000013070919

Date Mailed: 06/25/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

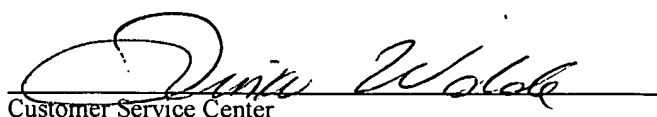
- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

08/10/2004 HVUONG1 00000127 100233 10825359

01 FC:1051 130.00 DA

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in cursive script, reading "Devin Walsh", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE